

**REQUEST FOR PROPOSALS**  
**Jacob Riis Beach**  
**Gateway National Recreation Area**  
**Bay 2 and Bay 14**



<b>RFP Release Date:</b> March 9, 2016	<b>Proposal Submittal Deadline:</b> May 9, 2016 1:00 PM EST
<b>Site Tour:</b> Upon Request	<b>Anticipated Date for Selection of Qualified Proposals:</b> May 20, 2016
<b>Question Submission Deadlines:</b> April 1, 2016 1:00 PM EST	<b>Anticipated Lease Commencement:</b> TBD Effective Date Subject to Negotiation

Other opportunities at Gateway may be found at [www.nps.gov/gate](http://www.nps.gov/gate).

## **TABLE OF CONTENTS**

I. BACKGROUND

II. OPPORTUNITY

III. THE COMPETITION

IV. THE LEASE

V. PROPOSAL PACKAGE

VI. ATTACHMENTS

## **I. BACKGROUND**

### **A. Gateway and Jacob Riis Park**

Gateway National Recreation Area (Gateway) was established in 1972 as the nation's first urban National Park. Its 26,000 acres are operated by the National Park Service (NPS) which manages more than 400 parks and historic sites nationwide. Gateway is comprised of three park units in two states - The Jamaica Bay and Staten Island Units in New York and the Sandy Hook Unit in New Jersey. Bay 2 and Bay 14 and related areas offered in this Request for Proposals (RFP) are located within Jacob Riis Park, part of the Jamaica Bay Unit of Gateway.

Riis Park was established in 1912, and is named for the noted reformer and photojournalist who dedicated his life to showcasing the plight of the urban poor. The site was used by the United States Navy as Naval Air Station-Rockaway from 1917 to 1928, where the first airplane to make a crossing of the Atlantic Ocean departed on May 8, 1919. After the Navy left, the 220-acre Riis Park was redeveloped for seaside recreation. The historic Riis Beach Bath House was opened in 1932 and remodeled in 1937 during a major expansion of the park under longtime New York City Parks Commissioner Robert Moses. Riis Park was incorporated into Gateway in 1974 and listed on the National Register of Historic Places in 1981.

In October 2012, Hurricane Sandy devastated the region and the Rockaway Peninsula suffered some of the most severe damage. Water engulfed properties on the beach and bay sides, destroyed homes and other structures, and caused significant damage to a number of NPS buildings.

Despite Hurricane Sandy, and after several decades of restricted funding and neglect, Riis Park has experienced a dramatic recovery in recent years as interest in the Rockaways has flourished. The restoration enjoyed by neighborhoods along Rockaway Beach has spread to these NPS sites as well, as beachgoers flock from communities around the region to take advantage of the mile-long white sand beaches and growing beach culture.



A view of Rockaway Beach, with the Jacob Riis bathhouse at right, in 1969.

In May 2015, Riis Park Beach Bazaar signed a five-year lease for use of the East Mall Building at Bay 9. The Bazaar hosts free concerts, provides entertainment and houses many local vendors, which has helped attract new members of the surrounding urban population. Additionally, Improved alternative transportation options including car-sharing and livery services, shuttles, and bicycle access, has also helped visitation double to levels unseen in twenty years.

## **II. OPPORTUNITY**

### **A. NPS Goals**

Gateway is seeking to lease, in “as is” condition, the following areas and associated land available for sustainable, mobile, and removable facilities to accommodate seasonal food, beverage, and/or retail services. All proposed facilities must be removed annually by November 1 and may be installed prior to subsequent operating seasons, as directed by the NPS. Applicants may submit Proposals for both sites or for one site only; however, NPS will give preference to Applicants seeking both sites.

1. Bay 2 includes a concrete pad site that is measured 20' x 70' x 16". The Lessee will be responsible for reconnecting the gas and water supply at this location as well as installing a new electrical service panel. The Lessee will be solely responsible for restoring all connections to utilities.



2. Bay 14 includes a concrete pad site that is measured 14.6' x 21' x 16". A structure currently exists at this location but will be tentatively demolished by Summer 2016. The Lessee will be responsible for reconnecting the water supply at this location as well as installing a new electrical service panel. No gas utilities are available at this location. The Lessee will be solely responsible for restoring all connections to utilities.





3. The NPS seeks an operator for food and beverage, beach sundries, and retail. The Riis Beach boardwalk and other cultural landscape features must be maintained as a cultural resource. All paved areas are designated historic. The boardwalk and other cultural landscape features must be maintained.

The NPS operates a fee-based parking lot (9,500 vehicles) at Riis Beach between Memorial Day weekend and Labor Day. The parking lot may also be used to accommodate entertainment venue use, transportation, and flexible open spaces for group gatherings.

Riis Beach has become an increasingly popular draw as a result of the activities offered by our newest Lessee, Riis Park Beach Bazaar <http://riisparkbeachbazaar.com/>. Visitors to the park reflect the diverse population of New York City. There is also an 18-hole pitch and putt located between Bays 10-14 along the boardwalk. Visitors have the option of arriving by automobile and parking within the 9,500 vehicle lot, by city bus (two MTA bus lines), by ferry boat (to Riis Landing), by private shuttle operators, or by bicycle. Given the popularity of the beach, and the demand for quality services, this opportunity has the potential to not only serve existing demand, but create even more interest in Riis Beach as a destination. Additionally, improved alternative transportation options including car-sharing and livery services, shuttles, and bicycle access, has also helped visitation double to levels unseen in twenty years.

Information about other opportunities at Gateway may be found at [www.nps.gov/gate](http://www.nps.gov/gate).

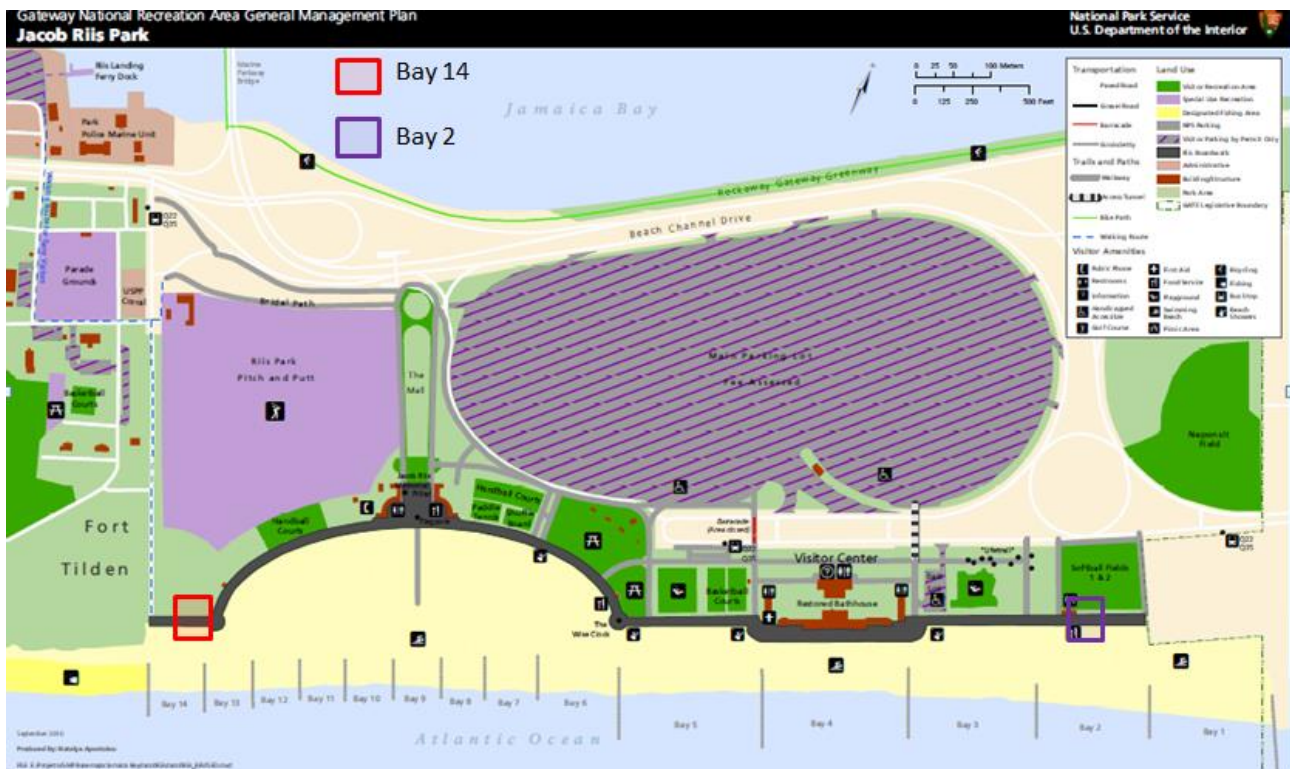


### **B. Property Description**

The locations offered for lease under this RFP consist of two concrete pads of the historic Riis Beach boardwalk. The land associated with Bay 2 and Bay 14 can be assigned for incidental use. Bay 2 is located along the easternmost area of the boardwalk, while Bay 14 is located along the westernmost area of the beach. There is currently an existing structure at Bay 14 tentatively scheduled for demolition by Summer 2016.

### **C. Property location**

Riis Park is located on the western end of the Rockaway Peninsula, a barrier island that is within the Borough of Queens. The Park is accessible by car via two bridges and is serviced by two city bus routes. Subway transit requires a bus transfer. City bus stops are conveniently located nearby. The parking lot can accommodate approximately 9,500 vehicles. Ferry service is also available during the summer season from Riis Landing. More information is made available at <http://www.americanprincesscruises.com/>.



### III. LEASE

The NPS is seeking Lease Proposals from interested individuals and business organizations to operate a mobile seasonal food and beverage, sundries, or retail operation that will help make Riis Beach attractive to a larger and more varied group of visitors.

The NPS anticipates that the Lease will become effective **May 27, 2016**. Key information about the authorized use is summarized below.

The Lease to be awarded under this RFP will contain the provisions required by 36 CFR Part 18 as well as other provisions determined by NPS to be necessary to assure use of the leased property in a manner consistent with the purposes of the park area, and where applicable, to assure the preservation of historic property.

The selected Applicant (Offeror, proposed Lessee, Applicant, 'you', 'your') will have exclusive rights to negotiate and enter into a Lease that is not materially different from the attached Draft Lease (See Attachment A).

#### A. Terms and Conditions (summary)

1. Permitted uses: Gateway is seeking to lease, in "as is" condition, Bay 2 and Bay 14, and associated land as approved by the NPS, available for sustainable, mobile, and removable facilities to accommodate seasonal food, beverage, and/or retail services. All proposed facilities must be removed annually by November 1 and may be installed prior to subsequent operating seasons, as directed by the NPS.
2. Lease terms and payment: The terms of the Lease will be negotiated with the selected applicant; however, the anticipated term will be effective through November 1, 2020.

3. Rent: The minimum annual rent is \$2,500 per site. The rent payment will be adjusted annually by CPI, as described in the Draft Lease attached. Applicants may submit Proposals with higher minimum annual rent amounts.
4. Utilities: The Lessee is responsible for all utility costs and maintenance, including electric, gas, sewer, and water.
5. Insurance: Lessee must provide Liability Insurance coverage in an amount not less than \$1 million per occurrence/\$3 million aggregate (see attached Draft Lease) and sufficient for proposed use.
6. Rent Schedule: Applicant is required to provide the annual rent upon execution of the lease and annually thereafter.
7. Inspections: In addition, Gateway NRA maintains the right to inspect the assigned land and facilities and operation at any time during the term of the lease, without prior notice, to ensure compliance with the negotiated Lease agreement, park regulations, and public laws.
8. Trash: Scheduled trash removal to the designated disposal facility is required on a frequent basis at the Lessee's cost and expense. The NPS reserves the right to demand additional trash pick-up at the Lessee's cost and expense. The Lessee must identify the manner by which rubbish removal will be managed, including the number and location of all trash and recycling bins and the logistics for emptying these bins, waste removal, and the separation and processing of recyclable materials. Additionally, Lessee must provide a proactive and preventive Pest Control strategy including but not limited to monthly inspections of the premises. Pest Control strategies should consider products and services that limit negative environmental impacts.
9. Maintaining Clean Facilities: All facilities must be kept clean and well-maintained. If applicable, tables, chairs, and umbrellas must be clean and washed on a frequent and consistent basis. Maintenance of grease traps and other kitchen elements is required. Lessee will be required to maintain and provide satisfactory inspection reports and cleaning logs on site throughout the course of the Lease.
10. Parking: All employees of the Lessor shall be required to obtain a seasonal parking pass at their own expense. No parking is permissible along the boardwalk; exceptions can be made for deliveries with the approval of the NPS. Parking for 10,000 vehicles is available in the Riis Beach Parking Lot on a first come, first served basis. The Lessee is required to comply with any parking determinations made by the Lessor.

#### B. Restrictions

1. Lessee has no right of renewal for the Lease;
2. Construction of new or additional facilities is prohibited;
3. NPS must approve any sub-lease;
4. In the event of a government shutdown, access to leased facilities is permitted. However, no use outside of the inholding/leased facility is permitted on park lands and waters.
5. Operating hours: The Park is open 5:00 AM – 8:00 PM from November 1 – March 31 and 5:00 AM – 10:00 PM from April 1 – October 31 however; certain areas of the park are subject to different hours of visitation/operation. Events expected to go past 8:00 PM from November 1 – March 31, or past 10:00PM from April 1 – October 31 may require onsite Supervision, the cost of which may be considered additional rent. Noise violations may result in issuance of a U.S. District Court Violation Notice pursuant to 36 CFR 2.12 (Audio Disturbance) and / or 36 CFR 2.34 (a)(3) Disorderly Conduct. Hours of operation are addressed in Gateway's compendium and may be subject to change.

#### C. Record Keeping

1. Lessee must maintain Point of Sale records of all gross receipts, invoices and records of cost of goods sold, customer counts, and revenue per sales category, in the event rent requirements include percentage of gross receipts.

## **IV. THE COMPETITION**

### **A) Overview**

This opportunity to Lease the above described facilities is open to all interested persons and businesses on a competitive basis. The Applicant who submits the proposal judged best under the proposal selection criteria will be given an opportunity to negotiate a final Lease agreeable to both the selected Applicant and NPS.

To be selected by the NPS, the Applicant must demonstrate the capability to plan and finance your proposal. Evaluation criteria and the process for Lessee selection are described in detail in the sections called "Proposal Selection Criteria" and "Evaluation and Selection Process" in this Request for Proposals.

The NPS reserves the right to reject one or all proposals or terminate Lease negotiations at any time prior to executing a final lease without penalty or liability.

### **B) Authority**

The NPS has the authority to lease historic buildings through the National Historic Preservation Act, 54 U.S.C. Sections 306121 and 306122, and the National Park Service General Leasing Authority, 54 U.S.C. Section 102102, which authorizes the NPS to lease federally owned property within boundaries of the park.

This RFP is issued under the authority of 36 CFR Part 18. This RFP and the offered Lease are subject to and incorporate all terms and conditions of Part 18 as applicable. In the event of any conflict between the terms of this RFP and Part 18, Part 18 controls.

### **C) Site Tour and Additional Information**

The NPS will hold site tours upon request.

Questions not addressed in this RFP will be collected and responded to through issuance of Question & Answers (Q&A) to all registered interested parties. Questions must be submitted by April 1, 2016 via email to [Gateway\\_BMD@nps.gov](mailto:Gateway_BMD@nps.gov) or by mail at Business Management Division, 210 New York Ave, NY 10305.

### **D) Proposal Submission Requirements**

Applicants should submit two hard copies of any proposal accompanied by a transmittal letter signed by the proposed Lessee or by the Principal of any organization submitting an application. Proposals must be formatted to 8-1/2" x 11" size, double-sided.

The proposal must be enclosed in a sealed envelope and received at the NPS office stated below by the date and time designated in this RFP. The face of the sealed envelope must state the Applicant's name and address along with the following information:

**Superintendent  
Gateway National Recreation Area  
210 New York Avenue  
Staten Island, NY 10305**

**SUBMISSION – Bay 2 *and/or* Bay 14 RFP Submission**



Electronic submission of proposals is permitted through email, though such submissions will not have been deemed received until NPS issues a written response acknowledging receipt.

If Applicant does not submit a proposal through email, they must include a USB-compatible drive or CD with a file in PDF format of the entire proposal, including all attachments. Any financial attachments must be provided in Excel format or other compatible software.

Proposals may be delivered in person, by U.S. Mail, or by another delivery service. Submission of proposals by telephone, fax, or other methods will not be considered. Proposals will not be returned.

Proposals that are not received by NPS by the specified deadline will not be considered. NPS will not consider proposals that have been mailed or postmarked prior to the deadline but which are not delivered to the designated address by the deadline.

Applicant identification should include the following information for any Applicants involved and all principals of any corporate entity seeking to operate the site(s):

- Name of individual, title, address, phone number, and email address of primary contact person.
- If applicant is an entity, provide names, and contact information of each partner, proprietor, or controlling principal.
- Proposals should also detail the nature of the Applicant's corporate entity or partnership details, existing or proposed.
- Proposals should provide relevant and related professional licenses or special skills and designations.

**Required Documents:**

- Transmittal Letter - See attachment on website at <http://www.nps.gov/gate/index.htm>
- Applicant Identification
- Proposal:
  - o Responses to Criteria 1 through 5
  - o Supporting documentation for Criteria 1 through 5
  - o Completed Financial Forms attached.

Proposal is not to exceed 25 pages, excluding attachments.

**E) Proposal Selection Criteria and Required Responses**

The NPS requires clear and concise answers. Please respond fully and accurately to all questions/requests and label your responses accordingly. If the required information is not provided, the proposal may be determined non-responsive and will not be evaluated further.

**Overview**

The NPS will review all responses to this RFP through an evaluation panel. Proposals will be reviewed to ensure they adhere to the requirements outlined in this RFP and were submitted on time. Proposals that do not meet these requirements will be considered non-responsive and eliminated from consideration. NPS will select the best responsive proposal received under this RFP based on the criteria outlined below.

**Criterion 1- Use**

*The compatibility of the proposal's intended use of the available locations with respect to preservation, protection, and visitor enjoyment of the park. Proposals may include one or multiple*

*locations for lease. A Master Lessee for all available locations, with the ability to sublease, is also acceptable.*

**NPS Objective:** Proposals must be compatible with the vision of Riis Beach as a vibrant, public beach open to visitors from near and far. Although there is high summer seasonal demand, the NPS is interested in encouraging an extended operating season. Applicants are invited to propose food and beverage, sundries, and/or retail mobile operations.

**REQUIRED RESPONSE:**

- Please describe in detail how you plan to operate Bay 2 and Bay 14 during peak summer season.

**Criterion 2- Financial & Rent**

*The financial capability of the Offeror to carry out the terms of the Lease and the amount of rent offered.*

**NPS Objective:** The NPS will consider food and beverage, sundries, and retail use compatible with its mission and values. The Applicant must be capable of making the financial investment required for the level of service the Applicant proposes.

The Applicant should identify the amount of rent Applicant is willing to pay. NPS is required by law to obtain Fair Market Value Rent. Applicants may submit Proposals for higher minimum annual rents.

**REQUIRED RESPONSE:**

- Submit documentation identifying the source and availability of funds for the estimated investment costs through bank statements, bank financing commitment letters, or similar documents as described in Attachment E Financing. You will also be required to describe start-up costs you will allocate and personal property investment you will make including all furniture, fixtures, and equipment (FF&E) you propose in connection with this opportunity. Attachment C Financial Form Instructions and Attachment D Financial Forms should be used for this response.
- State how much annual rent you offer to pay. The rent payment schedule will be negotiated with the selected Applicant. The Applicant should identify the amount of rent Applicant is willing to pay. The amount of rent offered should be entered where appropriate in Attachment D Financial Forms.

**Criterion 3- Experience**

*The experience of the Offeror demonstrating the managerial capability to carry out the terms of the lease.*

**NPS Objective:** To obtain an experienced food and beverage, sundries, and/or retail mobile operator at the Riis Beach Bay 2 and Bay 14 pad locations. This operator will also need to demonstrate their capacity to accommodate large crowds and to expand operations as demand dictates. Examples of themes include but are not limited to: beach sundries, arts and crafts, beer gardens, taquerias, crab shacks, etc.

**REQUIRED RESPONSE:**

- Describe your experience operating a high quality service compatible with the proposed use.
- Describe how your experience and background qualifies you to operate a mobile operation at Bay 2 and Bay 14.
- Submit a detailed business plan describing the proposed operations including theme/concept, menu, marketing, and design.

#### **Criterion 4- Sustainability**

*The ability and commitment of the Offeror to conduct its activities in the park area in an environmentally enhancing manner through, among other programs and actions, energy conservation, waste reduction, and recycling.*

**NPS Objective:** NPS seeks a Proposal that offers eco-friendly alternatives. References to consider:

[http://www.nature.nps.gov/climatechange/docs/NPS\\_CCRS.pdf](http://www.nature.nps.gov/climatechange/docs/NPS_CCRS.pdf)

Applicants should include in their plans the use of Energy Star or similar efficient appliances, and incorporate environmentally friendly green products in their operations (see the Green Restaurant Association's endorsements at [www.dinegreen.com](http://www.dinegreen.com) or the list of certified "Green Seal" products at [www.greenseal.org](http://www.greenseal.org)). Preference will be shown to proposals that commit to these products and practices.

Offers should take into account climate change risks and storm preparedness plans that address the potentially vulnerable location.

#### **REQUIRED RESPONSE:**

- Describe your proposal for managing and using the property in an environmentally enhancing manner through programs and actions you may propose, energy conservation, waste reduction, and recycling.
- Describe your storm preparedness plan.

#### **F) Evaluation and Selection Process**

The National Park Service will review all responses to this RFP through an evaluation panel assisted by technical consultants as appropriate. All proposals will first be screened for adherence to the requirements of this RFP. NPS will not consider non-responsive proposals. A non-responsive proposal is a proposal that was not timely submitted or fails to meet the material terms and conditions of this RFP as determined at the sole discretion of the NPS. The NPS will select the Applicant best-suited to provide food and beverage services based on responses to the selection criteria. The NPS will negotiate the terms of the final Lease with the successful Applicant. If negotiations with the selected Applicant fail, the NPS may negotiate with other Applicants for award of the offered Lease or terminate this solicitation without liability to any person.

The NPS, in its sole discretion, will determine whether the Applicant's experience and financial capability match the scale and scope of the proposal.

**The NPS reserves the right to reject one or all proposals, or terminate lease negotiations at any time prior to executing a final lease without penalty or liability.**

#### **G) Additional Information and Modification of Proposals**

NPS may request additional information or written clarification of a proposal from any Applicant after the submission date. However, proposals may not be amended after the submission date unless permitted by the NPS. The NPS may not permit amendment of a proposal unless all Applicants that submitted responsive proposals are given an opportunity to amend their respective proposals.

#### **H) Confidentiality – Proposals Considered Public Documents**

All proposals submitted in response to this Request for Proposals may be disclosed by the NPS to any person, upon request, to the extent required or authorized by the Freedom of Information Act (5 U.S.C. Section 552). If you believe that your proposal contains trade secrets or confidential

commercial or financial information exempt from disclosure under the Freedom of Information Act, mark the cover page of each copy of the proposal with the following legend:

“The information specifically identified on pages of this proposal constitutes trade Secrets or confidential commercial or financial information that the Applicant believes to be exempt from disclosure under the Freedom of Information Act. The Applicant requests that this information not be disclosed to the public, except as may be required by law.”

Applicants must specifically identify what you consider to be trade secret information or confidential commercial or financial information on the page of the proposal on which it appears, and you must mark each such page with the following legend:

“This page contains trade secrets or confidential commercial and financial information that the Applicant believes to be exempt from disclosure under the Freedom of information Act, and which is subject to the legend contained on the cover page of this proposal.”

Information so identified will not be made public by the NPS except in accordance with law. The NPS does not warrant and assumes no liability for the accuracy of the information provided in this RFP.

## **VI. ATTACHMENTS**

- A. Sample Lease
- B. Transmittal Letter
- C. Financial Form



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